

*Linda B. Riegle*



Honorable Linda B. Riegle  
United States Bankruptcy Judge

Entered on Docket  
December 05, 2011

**LEWIS AND ROCA LLP**

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**ORDER SUSTAINING FIFTEENTH  
OMNIBUS OBJECTION OF USACM  
LIQUIDATING TRUST TO DUPLICATE  
PROOFS OF CLAIM**

Hearing Date: November 15, 2011

Hearing Time: 9:30 a.m.

The Court having considered the Fifteenth Omnibus Objection Of USACM Liquidating Trust To Duplicate Proofs Of Claim [DE 9333], (the "Objection") at the hearing held on November 15, 2011; appropriate notice of the Objection having been given; no responses having been filed; and good cause appearing:

**IT IS ORDERED:**

1. The Objection [DE 9333] is sustained; and

1       2. The duplicate Proof of Claims listed on **Exhibit A** are disallowed in their  
2       entirety.

3  
4 PREPARED AND RESPECTFULLY SUBMITTED BY:

5       **LEWIS AND ROCA LLP**

6  
7 By /s/ John Hinderaker (AZ #018024)

8       Robert M. Charles, Jr.  
9       John Hinderaker (*pro hac vice*)  
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14  
15     *Attorneys for USACM Liquidating Trust*

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1 LOCAL RULE 9021 CERTIFICATION  
23 In accordance with LR 9021, counsel submitting this document certifies that the order  
4 accurately reflects the court's ruling and that (check one):  
56 \_\_\_\_\_ This Court has waived the requirement set forth in LR 9021(b)(1).  
78 XXX No party appeared at the hearing or filed an objection to the motion.  
910 \_\_\_\_\_ I have delivered a copy of this proposed order to all counsel who  
11 appeared at the hearing, and any unrepresented parties who appeared  
12 at the hearing, and each has approved or disapproved the order, or  
13 failed to respond, as indicated below [list each party and whether the  
14 party has approved, disapproved, or failed to respond to the  
15 document]:  
1617 \_\_\_\_\_ I certify that this is a case under Chapter 7 or 13, that I have served a  
18 copy of this order with the motion pursuant to LR 9014(g), and that  
19 no party has objected to the form or content of the order  
20

13 U.S. Trustee: <u>Augie Landis</u>	14
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
15 Other Party:	16
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input checked="" type="checkbox"/> failed to respond to the document

21 Submitted by:  
22 LEWIS AND ROCA LLP23 By: /s/ John Hinderaker. (AZ #018024)  
24 Attorneys for USACM Liquidating Trust25 # # #  
26

**USACM Trust**  
**Duplicate Proofs of Claim**

Proof of Claim Being Disallowed as Duplicate	Date Claim was Filed	Claimant's Name and Address	Duplicate Claim Amount	Processed Claim Number <sup>1</sup>	Processed Claim Amount <sup>1</sup>
10725-01213-2	10/4/2006	Peter Valve Company Inc 2800 Wrondel Way Ste A Reno, NV 89502-4297	100,000.00	10725-01213	100,000.00
10725-01214-2	10/4/2006	Rulon, Phillip 3310 W Hidden Valley Drive Reno, NV 89502-9579	503,479.62	10725-01214	503,479.62
10725-01208-2	10/4/2006	Monighetti, Pete 6515 Frankie LN Prunedale, CA 93907	1,509,963.55	10725-01208	1,509,963.55
10725-01212-2	10/4/2006	Jay E Henman Retirement Plan C/O Jay E Henman Trustee 1023 Ridgeview Ct Carson City, NV 89705-8054	747,243.00	10725-01212	747,243.00
10725-02416-2	10/4/2006	Topp, Gerry Po Box 3008 Grass Valley, CA 95945	521,406.20	10725-02416	521,406.20
10725-01205-2	11/19/2006	Lococo, Randal & Allison 3001 San Luis Court Fort Collins, CO 80525	100,000.00	10725-01205	100,000.00

<sup>1</sup>Claim may have been disallowed or allowed by order of this Court.

**EXHIBIT A**